

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

JOHN CHRISTIE,
Director of Children & Families
London Borough of Brent

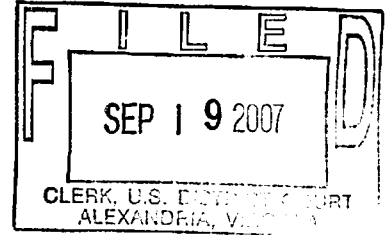
Petitioner,

V.

NAFISATU WILLIAMS and
HARRY WILLIAMS

Respondents .

1:07cv682 (LMB)



O R D E R

Petitioner has filed a Motion for Necessary Expenses Pursuant to Convention Article 26 and 42 U.S.C. § 11607 seeking to recover from Harry Williams the expenses involved in this litigation. Williams is the father of the two minor children who were at issue in this civil action. As petitioner recognizes, under 42 U.S.C. § 11607(b)(3) when a court orders the return of a child under the Convention on the Civil Aspects of International Child Abduction, done at the Hague on October 25, 1980 (The Hague Convention), it shall also order the respondent to pay petitioner the necessary expenses incurred in bringing the civil action.

Although both Nafisatu Williams, the mother of the two children, and Harry Williams, their father, were named as respondents, all of the petitioner's pleadings and evidence describe Nafisatu Williams as the person who removed the children from the United Kingdom and as the parent with whom British

authorities had been communicating about the return of the children. The record also establishes that Nafisatu Williams may herself have been the victim of abuse by Harry Williams, and that she was not residing with Harry Williams in the United States.

Given the unique facts in this record, the Court has previously denied petitioner's request that Nafisatu Williams pay litigation expenses. Although Harry Williams has not responded to the petitioner's motion, the Court finds insufficient evidence of his involvement in the abduction of the children or that he had been contacted by British authorities to return the children, to justify imposing litigation costs on him.

For all these reasons, it is hereby

ORDERED that Petitioner's Motion for Necessary Expenses Pursuant to Convention Article 26 and 42 U.S.C. § 11607 be and is DENIED.

The Clerk is directed to forward copies of this Order to counsel of record and the respondents, pro se, and close this civil action.

Entered this 19th day of September, 2007.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge